

REMARKS

Applicant has carefully studied the Office Action of February 16, 2010 and offers the following remarks in response thereto.

Rejection Under 35 U.S.C. § 101 – Claim 46

Claim 46 presently stands rejected under 35 U.S.C. § 101 as allegedly being drawn to non-statutory subject matter. Specifically, the Examiner states that, under Supreme Court precedent and recent Federal Circuit decisions, a process “must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing.” Office Action, p. 2. This rejection is respectfully traversed.

Initially, it is observed that since the Office Action was issued on February 16, 2010, the United States Supreme Court has rendered the decision of *Bilski v. Kappos*, Case No. 08-964, on June 28, 2010, that appears to be inconsistent with the standards being applied by the Office prior to the decision. In response, the Office on July 27, 2010 issued new guidelines for addressing patentability under section § 101, in the form of *Interim Guidance for Determining Subject Matter Eligibility for Process Claims in view of Bilski v. Kappos (Interim Bilski Guidance)*.

According to the new guidelines, the “machine-or-transformation” test remains an investigative tool and is a “useful starting point” for determining whether a claimed invention is a patent-eligible process under 35 U.S.C. § 101,

but is not the sole test. The guidelines discuss a number of factors pointing to patent eligibility, including, among others:

- Recitation of a machine or transformation (either express or inherent)
- Machine or transformation is particular
- Machine or transformation meaningfully limits the execution of the steps
- Machine implements the claimed steps
- The article being transformed is particular
- The article undergoes a change in state or thing
- The claim is more than a mere statement of a concept
- The claim describes a particular solution to the problem to be solved
- The claim implements a concept in some tangible way
- The performance of the steps is observable and verifiable

In addition, claim 46 has been amended herein to clarify the subject matter being claimed and to make certain acts or steps more explicit, thus obviating any concerns under § 101.

All of the above listed factors are met by claim 46, and particularly with the amended claim language. For example, the method of claim 46 explicitly or inherently is operated on a machine (computer system connected to an electronic network), the machine specifically implements a number of the claimed steps, the article being transformed (requests from remote users) is particular and undergoes a change in state or thing (e.g., aggregation into a running account), and involves a tangible solution to a problem with specific,

observable, verifiable steps. Claim 46 is by no means directed to a mere “statement of a concept.”

By contrast, claim 46 does not have any of the indicia of non-patentability under the *Interim Bilski Guidelines*. For example, the involvement of the machine or transformation is not nominal or incidental, but rather is central to the claim. The transformation is not merely a change in position or location of an article, but represents a synergistic aggregation of multiple requests from remote users. The article is not a general concept but a specific targeted electronic request for a specific purpose. The claim does not only state a problem to be solved, or refer to a general disembodied concept. Moreover, the steps of claim 46 are clear and not subjective or imperceptible.

Claim 46 does not resemble any of the examples provided in the *Interim Bilski Guidelines* that suggest unpatentable subject matter, such as basic economic practices or theories, basic legal theories, mathematical concepts, mental activity, interpersonal interactions, teaching concepts, human behavior, or instructing how a business should be conducted.

It is therefore respectfully submitted that claim 46 meets the current standards of patentability as promulgated by the Supreme Court and as reflected by the current Office guidelines.

Rejection Under 35 U.S.C. § 112(2) – Claims 1-17, 45 and 46

Claims 1-17, 45 and 46 presently stand rejected under 35 U.S.C. § 112(2) as allegedly indefinite for failing to particularly point out and distinctly

claim the subject matter which Applicant regards as the invention. Specifically, the Examiner states that the structural elements for claims 1-17 are unclear, and raises objections as to a few specific terms used in claims 1, 45 and 46.

Regarding the first issue, Applicant has amended claim 1, without acquiescence in the grounds of rejection, to positively recite specific structural elements in order to obviate this basis of rejection. For example, claim 1 now includes a “main computer system” and specifies that the “user interface routine”, “process handling routine”, and so on operate on the main computer system or, in at least one case, a separate “standalone computer system.” Claim 1 further recites that the user interface routine interact in specified ways with “remote user-interactive devices” or “said standalone computer system”, and that certain communications be transmitted or conveyed over a “wide area electronic network.” Claim 1 also includes a “storage medium associated with said main computer system” for storing particular data. Finally, the various operating routines such as the “user interface routine”, “processing handling routine”, etc., are configured to operate in specific ways and impart particular structure to the main computer system, user-interactive devices, and/or standalone computer network. It is therefore respectfully submitted that claim 1, as amended, contains clear structural elements and meets the statutory requirements including § 112(2).

Regarding claims 1, 45 and 46, the Examiner further states that it is unclear what is meant by a “work-specific controlled escrow account.” The

Examiner states that “every escrow account is created to perform some type of work” and that the claim is hence unclear. Office Action, p. 3.

Applicant notes that the Examiner appears to be applying a different meaning of the term “work” than is used in the Specification. There are numerous definitions for the term “work” many of which are inapplicable here. A variety of definitions are set out, for example, in the online Merriam-Webster dictionary resource, <http://www.merriam-webster.com/netdict/work> (copy provided as Attachment A herewith). The Examiner appears to be applying a broad and generic definition to the term “work” such as, for instance, the first definition in the above online dictionary:

1 : activity in which one exerts strength or faculties to do or perform something: **a** : sustained physical or mental effort to overcome obstacles and achieve an objective or result **b** : the labor, task, or duty that is one's accustomed means of livelihood **c** : a specific task, duty, function, or assignment often being a part or phase of some larger activity

However, the term “work” in the instant Specification refers to a “creative work” and hence has a meaning much more similar to the one found in definition 7(b) below, i.e., a specific tangible thing that is produced by the exercise of creative talent or expenditure of creative effort, like a novel or a film:

7 a : something produced or accomplished by effort, exertion, or exercise of skill <this book is the work of many hands> **b** : something produced by the exercise of creative talent or expenditure of creative effort : artistic production <an early work by a major writer>

Using the narrower definition of 7(b) above, which is the one that is much more consistent with the Specification, it is clear that the Examiner’s comment that

“every escrow account is created to perform some type of work” is inapplicable. One skilled in the art reading the claims in light of the Specification would thus understand that a “work-specific controlled escrow account” is one which is associated with a specific creative work, such as a particular film or music album, and that the term does not refer to an “ordinary” escrow account that performs some sort of “generic” work merely by being in existence. *See, e.g.*, Specification at [0018] (“All payments received by the computerized system are preferably placed into a special (e.g., escrow) account specifically designated for the creative work.”) It is therefore respectfully submitted that this aspect of the claims is clear and definite, and meets the statutory requirements.

The Examiner further states that the term “providing viewing access for the artist associated with developing the undeveloped creative work of the monetary amount in the escrow account” in claims 1, 45 and 46 is unclear, and specifically that it is unclear whether the artist is allowed to view the undeveloped creative work or the monetary amount in the escrow account. Applicant has amended claims 1, 45 and 46 to make it clear that the latter interpretation is the correct one, by specifically changing the preposition “of” before “monetary account” to –to–, so it now reads “providing viewing access for the artist associated with developing the undeveloped creative work to the monetary amount in the escrow account.”

Lastly, in relation to the same claim term, the Examiner states that “providing viewing access” does not necessarily require the viewing to be performed, and that it is unclear what step or apparatus, if any, is required to

provide viewing access. Applicant has amended claims 1, 45 and 46 to clarify that the viewing access is provided via an electronic connection to the host or main computer, and that providing such access through an electronic connection is sufficient of itself to impart sufficient clarity and definiteness in the claims for purposes of § 112(2). The Specification, for example, explains that viewing access to the escrow account may, in one embodiment, be provided through an administrative transaction handler running on the main or host computer system:

[0044] Once a work is closed, or optionally prior to that time, the accrued funds become available to the creator for use in connection with the creative work. To access the accrued funds associated with a particular work, the creator (or a system administrator or operator acting on the creator's behalf) may access the main computer system 104 via the administrative transaction handler 130 and select the access funds or refund 144 selection.

* * *

[0076] The funds received from the transactions to sponsor the work, and acquire pre-purchased benefits as a result thereof, may be deposited into, e.g., an escrow account that is specifically designated to be the repository for the funds dedicated to the specific work. In the event that the work does not attract sufficient funds as the result of benefit purchases by patrons, the creator may solicit funds from conventional sources to fund the gap between accrued benefit pre-purchases and the amount needed to produce, develop, and/or market the work, or may offer the patron a benefit associated with another

different work, or may refund the collected funds to the patron. When sufficient funds have accrued, they may be disbursed to the creator, preferably on an as needed basis, in order to support the work and to ensure the development, distribution, promotion, publication, and/or exhibition of the work.

In Figure 1, the administrative transaction handler 130 is shown with communicative connections to a local administrative computer 117 via a local interface 115 and/or an electronic network 110 via a network interface 105.

Thus, claims 1, 45 and 45 have been amended to state that viewing access to the monetary amount in the work-specific controlled escrow account is provided “through an electronic connection from an administrative or remote computer to the main computer system” (or to the “host computer” for claims 45 and 46). Support for this amendment may be found, among other places, in the cited passages above. It is respectfully submitted that claims 1, 45 and 46 as amended meet the requirements of § 112(2).

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1 – 17, 45 and 46 presently stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent publication 2004/0015427 (Camelio) in view of U.S. Patent 7,003,493 (Weichert), U.S. Patent publication 2002/0198763 (Pittelli), and U.S. Patent 6,792,411 (Massey). This rejection is respectfully traversed.

Claim 1 relates to a computerized system for facilitating the creation and promotion of creative works, comprising (as amended) the following system components:

- a main computer system;

- a user interface routine operating on said main computer system or a standalone computer system for visually displaying information about specific undeveloped creative works seeking financial sponsorship on remote user-interactive devices or on said standalone computer system, said undeveloped creative works including motion picture works, wherein said information concerning the undeveloped creative works includes a plot description of at least one of the undeveloped motion picture works;

- a process handling routine operating on said main computer system for receiving and processing requests for purchases of benefits relating to a specific undeveloped creative work, said requests received in electronic messages transmitted over a wide area electronic network;

- a storage medium associated with said main computer system for storing patron information received from a remote user and associating the patron information to the specific undeveloped creative work selected by the user;

- an accounting routine operating on said main computer system that automatically aggregates monetary amounts in a work-specific controlled escrow account, from among one or more work-specific controlled escrow accounts maintained on said storage medium each identified with a different specific undeveloped creative work, for use in development of the specific undeveloped creative work and releases all or a portion of the

aggregated monies when a predefined target threshold amount is attained to facilitate completion of the specific undeveloped creative work, whereby records stored on said storage medium maintain a correlation between each work-specific controlled escrow account, the specific undeveloped creative work pertaining thereto, and the patron information associated with each specific undeveloped creative work;

an administrative interface routine operating on said main computer system for providing viewing access for the artist associated with developing the undeveloped creative work of to the monetary amount in the work-specific controlled escrow account through an electronic connection from an administrative or remote computer to the main computer system; and

a benefit redemption routine operating on said main computer system and having access to the patron information stored in the storage medium, for facilitating electronic notification of patrons associated with the specific undeveloped creative work concerning availability of their purchased benefits, or upon the condition that the predefined target threshold amount is not attained, through messages transmitted over said wide area electronic network.

Claims 45 and 46 contain many overlapping features to claim 1. Claim 45 pertains to a computerized system, and claim 46 pertains to a method. While Applicant focuses on claim 1 below, similar comments are generally applicable to claims 45 and 46 unless otherwise specified.

Claim 1 differs from any of the cited items in significant and non-obvious ways. First, it should be noted that both Camelio and Pittelli are primary

(although not exclusively) directed towards musical artists, and the systems they envision are thus geared primarily towards sponsoring musicians. Claim 1 broadly relates to a variety of undeveloped creative works “including motion picture works,” and includes a user interface providing to users “information concerning the undeveloped creative works includes a plot description of at least one of the undeveloped motion picture works.” The types of features made available by the claimed invention are not present in the more limited systems of Camelio and Pittelli.

While Camelio mentions in passing a wide variety of types of products or services (“music, film, photography, painting, books, software and like”, para. [0083]) that may be sponsored via his system, these general statements do not change the basic nature of Camelio’s approach which involves generic sponsorship of a particular artist, not a specific creative work. It is simply not contemplated in Camelio that a defined undeveloped creative work such as motion picture work “includ[ing] a plot description” be a threshold structural requirement of the system around which the rest of the operation is based.

The Office Action further asserts that the type of escrow account being used, and specifically a “work-specific controlled escrow account,” is “merely non-functional descriptive material.” Office Action, p. 5. Elsewhere, the Office Action states that terms like “for use in a development of the specific undeveloped creative work” and “to facilitate completion of the specific undeveloped creative work” are statements of intended use that do not result in a “structural difference” and do not have patentable weight. Office Action, p. 6.

However, despite the characterization as such, the “work-specific controlled escrow account” is more than a statement of “intended use” and rather imparts specific requirements on how to store the data, how to organize the data, and the criteria for later triggering events (e.g., allowing access to the funds upon reaching a target threshold level). These limitations are built into the fabric of claims 1, 45 and 46, and manifest in the specific operations all geared around aggregating funds specific to individual creative works, and not, for example, generic artists. As the MPEP notes: “There is nothing inherently wrong with defining some part of an invention in functional terms. Functional language does not, in and of itself, render a claim improper.” MPEP § 2173.05(g).

Furthermore, the claims have been amended to clarify the specific features in relation to the work-specific escrow account, including the recital of specific data organization. It is respectfully submitted that the recitals relating to the claimed “work-specific controlled escrow account” would clearly carry patentable weight and impart meaningful structure under the applicable law and the provisions of the MPEP.

For example, the MPEP explains that “functional descriptive material” consists of data structures and computer programs which impart functionality when employed as a computer component.” MPEP § 2106.01. The MPEP further explains that “[w]hen functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of

technology permits the function of the descriptive material to be realized.” See MPEP § 2106.01, citing *In re Lowry*, 32 F.3d 1579, 1583-84, 32 U.S.P.Q.2d 1031, 1035 (Fed. Cir. 1994) (discussing patentable weight of data structure limitations in the context of a statutory claim to a data structure stored on a computer readable medium that increases computer efficiency) and *In re Warmerdam*, 33 F.3d 1354, 1360-61, 31 U.S.P.Q.2d 1754, 1759 (claim to computer having a specific data structure stored in memory held statutory product-by-process claim).

That is the case here. The specific data structures and programmed operations of claims 1, 45 and 46 are structurally and functionally interrelated with the computer-readable medium (including the claimed “storage medium”) and carry patentable weight.

By way of example, claim 1 includes a “storage medium associated with said main computer system for storing patron information received from a remote user and associating the patron information to the specific undeveloped creative work selected by the user.” This claim element expressly requires that patron information be stored on a storage medium and associated with a specific undeveloped creative work selected by the user. Claim 1 further includes an “accounting routine operating on said main computer system that automatically aggregates monetary amounts in a work-specific controlled escrow account, from among one or more work-specific controlled escrow accounts maintained on said storage medium each identified with a different specific undeveloped creative work, for use in development of the specific

undeveloped creative work and releases all or a portion of the aggregated monies when a predefined target threshold amount is attained to facilitate completion of the specific undeveloped creative work, whereby records stored on said storage medium maintain a correlation between each work-specific controlled escrow account, the specific undeveloped creative work pertaining thereto, and the patron information associated with each specific undeveloped creative work.” These recitals further require that specific types of accounts and data structures be maintained and segregated on records stored on the computer storage medium, in a manner correlating specific types of data together, and dictate the fundamental operation of the computer system. These are tangible limitations that are integral to the invention as claimed.

In addition, it is noted that claim 46 is a method claim, and may be subject to a different standard.

The Office Action further notes that Camelio fails to disclose “electronically notifying patrons associated with the specific undeveloped creative work concerning availability of their purchased benefits” or “upon the condition that the predefined target threshold amount is not attained.” (Office Action at pp. 5-6) For this subject matter, the Office Action refers to Pittelli, and specifically paragraph [0035] thereof, and states that Pittelli teaches the predefined target threshold amount not being attained, and that notifying patrons of such would have been obvious. However, Pittelli’s system is significantly different from claim 1 in this respect. Fundamentally, Pittelli’s system is geared to providing financial backing for particular artists, not

specific undeveloped creative works.¹ Accordingly, in Pittelli, the “milestone” level relates to a particular arbitrary amount of sponsorship for a given artist, to be used “in any manner he or she sees fit” (para. [0030]), and not to a specific undeveloped creative work. Therefore, Pittelli does not render obvious the feature of notifying patrons whether the predefined target threshold amount for developing an undeveloped creative work has been attained.

Even more significantly, as acknowledged by the Office Action, Camelio fails to disclose a locked account (i.e., a “work-specific controlled escrow account”) in which the aggregated monies are released in whole or part when a predefined target threshold amount for a specific creative work is attained. (See Office Action at p. 5) For this subject matter, the Office Action cites to Weichert et al, which describes a method for transferring funds in an electronic payment system. Specifically, the Office Action cites to col. 13, lines 43-46 of Weichert et al, and asserts that Weichert et al teaches that funds can be held in an account until a predetermined target amount is reached.

However, as an initial matter, Weichert et al is in a completely different field than the claimed invention, and relates to online checking and debt payment. While the Office Action asserts that both Camelio and Weichert et al

¹ That is why in Pittelli, general funds are made available to the musician artist when a certain number of “fans” is reached, giving the musician the ability to use the funds at that point in an unrestricted way – that is, “in any manner he or she sees fit.” See Pittelli at para. [0030] (“[A]fter a predefined time, and if the artist meets a predefined set of milestones, the artist can withdraw the fund and use it in any manner he or she sees fit.”). There is no obligation on the part of the musician to utilize the funds for a specific undeveloped creative work.

are directed towards a “fund transfer system” this is not the case. Weichert et al is directed to an online payment system, while Camelio is directed to a system for sponsoring musical and other artists in exchange for entitlements. A person of ordinary skill in the area of entertainment financing for example would not, it is respectfully submitted, look towards prior art relating primarily to online checking and debt payment in connection with Camelio.

Even so, Weichert et al does not render claim 1 (or claims 45 or 46) obvious. Weichert et al involves a system where an account owner sets up an account to potentially make automated payments for, e.g., paying periodic debt payments of the like. The payee is a third party with no explicit relation to the owner. While Weichert et al may describe a system that allows automated monetary transfers, it does not change at all Camelio’s express teaching away from the claimed invention by its teaching that sponsorship funds are only to be released “***upon completion of the project*** and upon the patron receiving the entitlement(s) corresponding to the patronage level” (Camelio at para. [0144]), and thus even a combination of Camelio and Weichert et al would require both completion of the project and provision of the entitlements as preconditions to release of the project funds. Under Camelio’s approach, even if combined with Weichert et al, the artist must have sufficient funds to complete the project prior to having access to any escrowed funds received from patrons. By contrast, the system of claim 1 provides a mechanism for graduated release of collected funds when a “predefined target threshold amount is reached,” thus ensuring enough capital to complete or make

meaningful progress on the undeveloped creative work, but not requiring that the artist have access to sufficient funds to complete the entire project.

In addition, the account in Weichert et al is not a “locked account” (or a “work-specific controlled escrow account”) but a general purpose account used for day to day transactions. It does not provide teachings concerning a “work-specific controlled escrow account” of the nature contemplated by and claimed in claims 1, 45 or 46.

Furthermore, claim 1 includes “an administrative interface routine operating on said main computer system for providing viewing access for the artist associated with developing the undeveloped creative work of to the monetary amount in the work-specific controlled escrow account through an electronic connection from an administrative or remote computer to the main computer system.” Claims 45 and 46 have similar recitals. This arrangement is significantly different than the context of Weichert et al, for example, in that it provides a system whereby the eventual payee (the artist associated with developing the undeveloped creative work) has routine access to the locked account.

For all of the above reasons, individually and collectively, it is respectfully submitted that claims 1, 45 and 46 would not have been obvious in view of the cited items.

Claims 2 – 17 depend upon independent claim 1, and thus should be allowable at least for the reason of depending from an allowable base claim.

In addition, further novel and non-obvious differences are believed to exist between the dependent claims and the cited items. As one example, claim 17 recites that the benefit redemption routine “electronically transmits a key number to said patrons, which may be used by said patrons to redeem the purchased benefit online and/or at a point-of-sale location.” While the Office Action notes that this feature is absent from Camelio, the Office Action does not point to any specific prior art in which these teachings can be found in combination with the other recitals of claim 1. Specifically, it is respectfully submitted that none of the cited items suggests the use of a “key number” in exchange for financial sponsorship of an undeveloped creative work, which results in the ability to redeem the purchased benefit online or at a point-of-sale location. Electronic coupons are inapplicable, for among other reasons, as they are generally pertain to a different context.

In sum, it is respectfully submitted that claims 1 – 17, 45 and 46 are non-obvious, and hence allowable, over the cited items.

Reservation of Right to Challenge Cited Items

While Applicant has addressed the cited items on the merits, this should not be construed as an admission that they constitute prior art as against the claimed invention. Applicant reserves the right to antedate either of the cited patent publications pursuant to the appropriate rules, laws, and regulations if deemed necessary to do so.

Likewise, Applicant's election to address the cited patent publications on the merits should not be construed as an admission they provide an enabling disclosure. Applicant reserves the right to challenge the sufficiency of the cited items at a later point in time, including in any post-issuance proceeding or suit, if appropriate.

Request for Allowance

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any unresolved issue remains, the Examiner is invited to contact the undersigned by telephone to discuss those issues so that the Notice of Allowance can be mailed at the earliest possible date.

It is believed that the instant application is in condition for final allowance, and, accordingly, issuance of a notice of allowance is earnestly solicited.

Respectfully Submitted,

Dated: August 16, 2010

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ATTACHMENT A



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work

Entries 1 to 10 of 26.

- ¹work (noun)
- ²work (adjective)
- ³work (verb)
- work-around (noun)

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Main Entry: **'work**

Pronunciation: \ˈwɜrk\

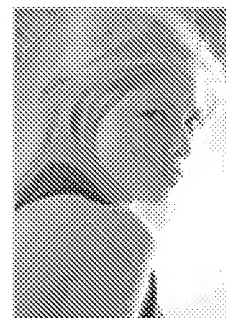
Function: *noun*

Etymology: Middle English *werk, work*, from Old English *werc, weorc*; akin to Old High German *werc* work, Greek *ergon*, Avestan *varəzem* activity
Date: before 12th century

1 : activity in which one exerts strength or faculties to do or perform something: **a** : sustained physical or mental effort to overcome obstacles and achieve an objective or result **b** : the labor, task, or duty that is one's accustomed means of livelihood **c** : a specific task, duty, function, or assignment often being a part or phase of some larger activity

2 **a** : energy expended by natural phenomena **b** : the result of such energy <sand dunes are the work of sea and wind> **c** : the transference of energy that is produced by the motion of the point of application of a force and is measured by multiplying the force and the

Where Did The
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displacement of its point of application in the line of action

3 a : something that results from a particular manner or method of working, operating, or devising <careful police work> <clever camera work> **b** : something that results from the use or fashioning of a particular material <porcelain work>

4 a : a fortified structure (as a fort, earthen barricade, or trench) **b plural** : structures in engineering (as docks, bridges, or embankments) or mining (as shafts or tunnels)

5 plural but sing or plural in constr : a place where industrial labor is carried on : PLANT, FACTORY

6 plural : the working or moving parts of a mechanism <the works of a clock>

7 a : something produced or accomplished by effort, exertion, or exercise of skill <this book is the work of many hands> **b** : something produced by the exercise of creative talent or expenditure of creative effort : artistic production <an early work by a major writer>

8 plural : performance of moral or religious acts <salvation by works>

9 a : effective operation : EFFECT, RESULT <wait for time to do its healing work> **b** : manner of working : WORKMANSHIP, EXECUTION

10 : the material or piece of material that is operated upon at any stage in the process of manufacture

11 plural a : everything possessed, available, or belonging <the whole works, rod, reel, tackle box, went overboard> <ordered pizza with the works> **b** : subjection to drastic treatment : all possible abuse —usually used with *get* <ge the works> or *give* <gave them the works>

— **at work 1** : engaged in working : BUSY; *especially* : engaged in one's regular occupation

2 : having effect : OPERATING, FUNCTIONING

— **in the works** : in process of preparation, development, or completion

— **in work 1** : in process of being done

2 of a horse : in training

— **out of work** : without regular employment : JOBLESS

synonyms WORK, LABOR, TRAVAIL, TOIL, DRUDGERY, GRIND mean activity involving effort or exertion. WORK may imply activity of body, of mind, of a machine, or of a natural force <too tired to do any work>. LABOR applies to physical or intellectual work involving great and often strenuous exertion <farmers demanding fair compensation for their labor>. TRAVAIL is bookish : labor involving pain or suffering <years of travail were lost when the house burned>. TOIL implies prolonged and fatiguing labor <his lot would be years of back-breaking toil>. DRUDGERY suggests dull and irksome labor <an editorial job with a good deal of drudgery>. GRIND implies labor exhausting to mind or body <the grind of the assembly line>.

synonyms WORK, EMPLOYMENT, OCCUPATION, CALLING, PURSUIT, MÉTIER, BUSINESS mean a specific sustained activity engaged in especially in earning one's living. WORK may apply to any purposeful activity whether remunerative or not <her work as a hospital volunteer>. EMPLOYMENT implies

work for which one has been engaged and is being paid by an employer <your *employment* with this firm is hereby terminated>. **OCCUPATION** implies work which one engages regularly especially as a result of training <his *occupation* a trained auto mechanic>. **CALLING** applies to an occupation viewed as a vocation or profession <the ministry seemed my true *calling*>. **PURSUIT** suggests a trade, profession, or avocation followed with zeal or steady interest <her father considered medicine the only proper *pursuit*>. **MÉTIER** implies a calling or pursuit for which one believes oneself to be especially fitted <acting was my *c* and only *métier*>. **BUSINESS** suggests activity in commerce or the management of money and affairs <the *business* of managing a hotel>.

AcceptPay - the online payment solution built for business from American Express. [OPEN](#).

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